

**2013 DRAFTING REQUEST**

**Bill**

Received:	<b>1/15/2013</b>	Received By:	<b>btradewe</b>
Wanted:	<b>As time permits</b>	Same as LRB:	
For:	<b>Alvin Ott (608) 266-5831</b>	By/Representing:	<b>Erin Ruby</b>
May Contact:		Drafter:	<b>btradewe</b>
Subject:	<b>Agriculture - other</b>	Addl. Drafters:	
		Extra Copies:	

Submit via email: **YES**  
 Requester's email: **Rep.Ott@legis.wisconsin.gov**  
 Carbon copy (CC) to:

**Pre Topic:**

No specific pre topic given

**Topic:**

Eliminate subrogation requirement in farmland preservation program

**Instructions:**

See attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	btradewe 2/7/2013			_____			
/1		jdyer 2/12/2013	phenry 2/12/2013	_____	sbasford 2/12/2013	srose 2/18/2013	

FE Sent For:

*None*

<END>

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/?	btradewe	1/12 jld	2/12 ph	ph/jr			

FE Sent For:

<END>

## Bill Draft Request

**Date:** 1-15-13

**Legislator Requesting Draft:** Rep. Al Ott

**Person Submitting Request:** Erin Ruby – Research Assistant

**Person to Contact with Questions:** Erin Ruby (6-5831)

### Drafting Request:

Representative Ott would like to request a bill draft to remove the provision under the Farmland Preservation law (Chapter 91), which, as part of the application process, requires the holder of a lien, mortgage, or easement to subordinate their position to the farmland preservation agreement.

- Delete s. 91.64 (2)(g).
- However, because it is important that holders of a lien, mortgage, or easement continue to be notified if a landowner enters into a farmland preservation agreement, either modify (f) or replace (g) to specify each person required to be identified under (f) must sign the *application*. This signature will serve as notification of the application to these entities.

Feel free to call with any questions or concerns.

**Thank you!**



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-1155/1

RCT:.....

In 2/7

2013 BILL

JLD

per

of those

1

AN ACT ...; relating to: applications for farmland preservation agreements.

*Analysis by the Legislative Reference Bureau*

Under current law, the Department of Agriculture, Trade and Consumer Protection (DATCP) administers the Farmland Preservation Program, which contains some of the requirements that a farmer must meet to qualify for the farmland preservation tax credit. Under current law, one requirement for qualifying for the farmland preservation tax credit is that the farmland must either be in a farmland preservation zoning district under a certified farmland preservation zoning ordinance or be covered by a farmland preservation agreement executed by DATCP.

The law requires a person applying for a farmland preservation agreement to submit a signed agreement from each person who holds a mortgage, lien, or easement on the land that would be covered by the agreement subordinating the person's interest to the farmland preservation agreement. This bill eliminates the requirement to submit signed subordination agreements. Under the bill, the application for a farmland preservation agreement must be signed by each person who holds a mortgage, lien, or easement on the land that would be covered by the agreement.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2

SECTION 1. 91.64 (1) of the statutes is amended to read:

# BILL

## SECTION 1

1            91.64 (1) SUBMITTING AN APPLICATION. An owner who wishes to enter into a  
2        farmland preservation agreement shall submit an application signed by the owner  
3        and each person required to be identified under sub. (2) (f),✓ on a form provided by the  
4        department, to the county clerk of the county in which the land is located.

**History:** 2009 a. 28.

**History:** 2009 a. 28.

5 **SECTION 2.** 91.64 (2) (g) of the statutes is repealed.

**6 (END)**

**Rose, Stefanie**

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**From:** Ruby, Erin  
**Sent:** Monday, February 18, 2013 3:36 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -1155/1 Topic: Eliminate subrogation requirement in farmland preservation program

Please Jacket LRB -1155/1 for the ASSEMBLY.